

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Hans Jurgén Tiedtke et al.

Examiner in immediately preceding  
parent application: Serke, Catherine

Serial No.: Unknown

Anticipated Group Art Unit: 3763

Filed: January 6, 2004

For: DEVICE WITH THERAPEUTIC CATHETER

Docket No.: 1001.1373102

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER 37 CFR §1.53(b)**

Dear Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EV315607926US, in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of January, 2004.

By \_\_\_\_\_

*JoAnn Lindman*  
JoAnn Lindman

This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/030,499 filed on February 25, 1998, for an invention entitled DEVICE WITH THERAPEUTIC CATHETER.

1. Enclosed is a copy of the prior application, including the English Translation and the inventors' DECLARATION of Hans Jurgén Tiedtke and Horst Lussem, as originally filed on February 25, 1998.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/030,499 as filed on February 25, 1998, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3. Cancel in this application original Claims 2-10 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.
4. Preliminary Amendment.
5. The filing fee is calculated below:

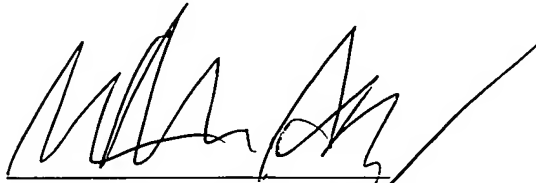
CLAIMS AS FILED						
FOR:	(1) No. Filed	(2) No. Extra	SMALL ENTITY		OTHER	
			RATE	FEE	RATE	FEE
BASIC FEE	XXXXX	XXXXX	XXXXX	\$385	XXXXX	\$770
TOTAL CLAIMS	1 -20=	0	X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	1- 3=	0	X 43=	\$	X 86=	\$
() MULTIPLE DEPENDENT CLAIM PRESENTED			+145=	\$	+290=	\$
TOTAL				\$	XXXXX	\$770

6. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.
7. A check in the amount of \$ 770.00 is enclosed to cover the filing fee.
8. A certified copy of German Patent Application No. 197 17 790.5, filed April 26, 1997 was filed in U.S. Application Serial No. 09/030,499 on February 29, 2000. The document was submitted in support of Applicants' claim of foreign priority benefit under Title 35, U.S.C. §119.
9. Please find enclosed two (2) sheets of formal/informal drawings.
10. The power of attorney in the prior application is to CROMPTON, SEAGER & TUFTE LLC. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Glenn M. Seager  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue  
Suite 800  
Minneapolis, Minnesota 55403-2420

11. This patent application is assigned to Convergenza AG, pursuant to the Assignment recorded on June 29, 1998 at Reel 9294, Frame 0082.

Jan 6, 2003  
(Date)

  
Glenn M. Seager, Reg. No. 36,926  
Customer No. 28075

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